

court in the county, the case shall be reassigned in the court where pending to a duly appointed senior judge or one of the following judges from contiguous counties: the Honorable Michael Shurn, Judge of the Pulaski Circuit Court; the Honorable Bruce Embrey, Judge of the Miami Circuit Court; and the Honorable Dennis Parry, Judge of Howard Superior Court #1. Cases shall be reassigned to senior judges and judges from contiguous counties in seriatim order. Judges previously assigned to the case are ineligible for reassignment under this rule.

Local Rule 5 – Appointment of Special Judge

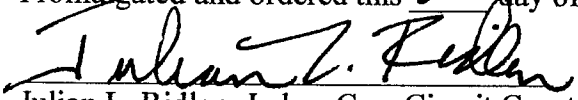
In the event these rules fail to assign a case or unique circumstances presented in a particular proceeding preclude local assignment, the judge before whom the case is pending may request the Indiana Supreme Court to appoint a special judge for the case.

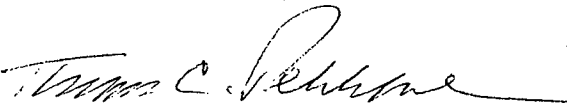
WHEREFORE:

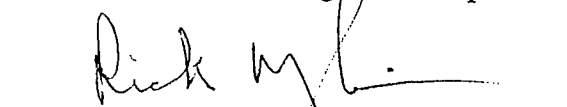
The Clerk of Cass County is directed to enter this Order in the Record of Judgments and Orders of the three Cass County Courts and post this Order for public inspection.

Further pursuant to Indiana Rule of Trial Procedure 81, the Clerk of Cass County shall forward two copies of these rules to the Clerk of the Indiana Supreme Court and Court of Appeals.

Promulgated and ordered this 5th day of January 2001.


Julian L. Ridlen, Judge, Cass Circuit Court


Thomas C. Perrone, Judge, Cass Superior Court 1


Rick Maughmer, Judge, Cass Superior Court 2

LOCAL RULE 6

TRIAL RULE 79(H) APPOINTMENT OF SPECIAL JUDGES

PURPOSE OF RULE

This rule is adopted to comply with requirements of Trial Rule 79(H) of the Indiana Rules of Trial Procedure. It is intended to provide a means of selection of special judges insuring the effective use of all judicial resources within Administrative District 5, and includes each person eligible for appointment under Section (J) of Trial Rule 79.

CENTRAL OFFICE ESTABLISHED

There is established a Central Office for the keeping of records of appointment and selection of special judges for this District. The Central Office of this District shall be the Wabash Circuit Court. The Administrator of the Central Office shall be appointed by the Judge of the Wabash Circuit Court.

The Cass Circuit and Cass Superior Courts shall hereafter refer to the Central Office of this District whenever selection of a special judge is required under this rule. The Cass Circuit and Cass Superior Courts shall accept from the Central Administrator the name of the individual to then be appointed as special judge.

The person serving as Administrator of the Central Office shall have the following responsibilities:

1. To maintain a list of persons qualified to serve as special judge under Section (J) of Trial Rule 79.
2. To take referrals from the several courts of this District, requesting appointment of a special judge.
3. To alternately and on a rotating basis appoint qualified judges from the list maintained for that purpose.
4. To notify the referring Court of the individual to be appointed under this Rule.

CURRENT ROTATION SCHEDULE

The following shall be the rotation schedule initially used by the Central Administrator:

- 1) The Judge of Cass Superior Court No. 1, currently the Honorable Thomas C. Perrone
- 2) The Judge of the Wabash Circuit Court, currently the Honorable Daniel J. Vanderpool
- 3) The Judge of the Howard Superior Court No. 3, currently the Honorable John C. Wood
- 4) The Judge of the Fulton Superior Court, currently the Honorable Wayne E. Steele
- 5) The Judge of the Howard Superior Court No. 2, currently the Honorable Stephen Jessup
- 6) The Judge of the Fulton Circuit Court, currently the Honorable Douglas B. Morton
- 7) The Judge of the Howard Circuit Court, currently the Honorable Lynn Murray
- 8) The Judge of the Tipton Circuit Court, currently the Honorable Dane Nash
- 9) The Judge of the Miami Superior Court, currently the Honorable Daniel C. Banina
- 10) The Judge of the Howard Superior Court No. 1, currently the Honorable Dennis H. Parry
- 11) The Judge of the Cass Circuit Court, currently the Honorable Julian L. Ridlen
- 12) The Judge of the Cass Superior Court No. 2, currently the Honorable Rick Maughmer
- 13) The Judge of the Wabash Superior Court, currently the Honorable Michael L. Sposeep
- 14) The Judge of the Miami Circuit Court, currently the Honorable Bruce C. Embrey

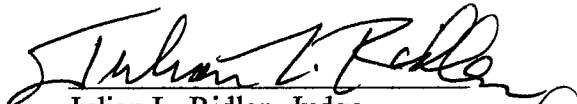
ADMINISTRATIVE FEE


Each of the Courts participating under this Rule shall pay each year the sum of Fifty Dollars (\$50.00) to the Central Administrator, payable directly to the Administrator by the 15th of September each year.

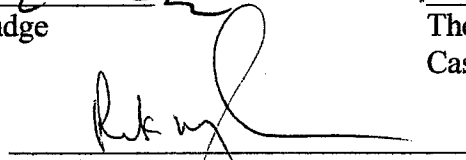
CERTIFICATION TO SUPREME COURT

In cases in which no judge is eligible to serve as special judge in a particular case, or where the circumstances of a case require it, the Court shall certify those circumstances to the Indiana Supreme Court, Division of State Court Administration, and the Supreme Court shall make the appointments.

This Local Rule shall take effect 30 Jan 2001.


Julian L. Ridlen, Judge
Cass Circuit Court


Thomas C. Perrone, Judge
Cass Superior Court No. 1


Rick Maughmer, Judge
Cass Superior Court No. 2

AMENDED LOCAL RULE 7

The undersigned courts comprise all the courts of record of Cass County, Indiana, and hereby adopt the following local rule by which court reporter services shall be governed:

Section One. Definitions. The following definitions shall apply under this local rule:

(1) A *Court Reporter* is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record.

(2) *Equipment* means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes and any other device used for recording, storing, and transcribing electronic data.

(3) *Work space* means that portion of the court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.

(4) *Page* means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.

(5) *Recording* means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.

(6) *Regular hours worked* means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for the work week.

(7) *Gap hours worked* means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.

(8) *Overtime hours worked* means those hours worked in excess of forty (40) hours per work week.

(9) *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year, i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.

(10) *Court* means the particular court for which the court reporter performs services. Court may also mean all of the courts in Cass County.

(11) *County indigent transcript* means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

(12) *State indigent transcript* means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.

(13) *Private transcript* means a transcript, including but not limited to, a deposition transcript that is paid by a private party.

Section Two. Salaries and per Page Fees.

(1) Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising court during any regular work hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours, i.e. monetary compensation or compensatory time off regular work hours.

(2) The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$4.25; the court reporter shall submit a claim to the county for the preparation of any indigent transcripts.

(3) The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$4.25.

(4) The maximum per page fees a court reporter may charge for the preparation of a private transcript shall be \$4.25.

(5) The maximum per page fee a court reporter may charge for the preparation of an expedited transcript (county indigent, state indigent or private) shall be \$1.25 extra. An expedited transcript shall be any transcript that is requested to be prepared within ten (10) days.

(6) The court reporter may charge a minimum fee of \$35.00 for a transcript of less than nine (9) pages in length. This minimum fee is in lieu of the per page fee, not in addition to the per page fee.

(7) Index and Table of Contents pages shall be charged at the per page rate being charged for the rest of the transcript.

(8) An additional labor charge approximating the hourly rate based upon the court reporter's annual court compensation may be charged for time spent binding the transcript and the exhibit binders; the hourly rate is available at the court office.

(9) A reasonable charge for office supplies required and utilized for the binding and electronic transmission of the transcript, pursuant to Indiana Rules of Appellate Procedure 28 and 29, is permissible; the costs for these supplies shall be determined pursuant to a Schedule of Transcript Supplies adopted annually by the judges of Cass County and shall be available in the offices of the Circuit and Superior Courts.

(10) Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State County Administration.

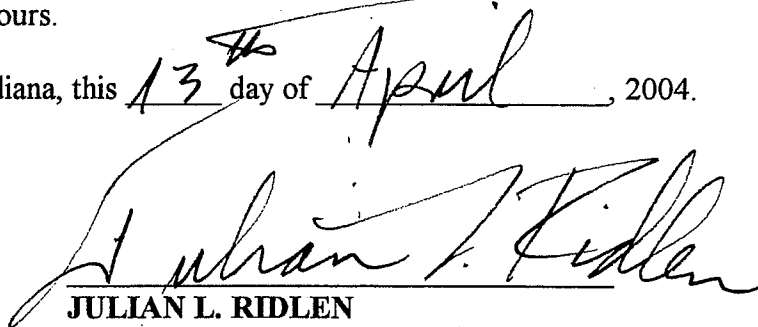
Section Three. Private Practice.

(1) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter a written agreement which must, at a minimum, designate the following:


- (a) The reasonable market rate for the use of equipment, work space and supplies,
- (b) The method by which records are to be kept for court use of equipment, work space and supplies, and
- (c) The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.

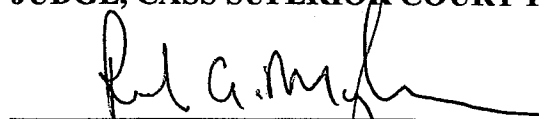
(2) If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

ADOPTED at Cass County, Indiana, this 13th day of April, 2004.


JULIAN L. RIDLEN

JUDGE, CASS CIRCUIT COURT


THOMAS C. PERRONE
JUDGE, CASS SUPERIOR COURT 1


RICHARD A. MAUGHMER
JUDGE, CASS SUPERIOR COURT 2

**Cass Circuit and Superior Courts
Local Rules**

The Local Rules for the Cass Circuit and Superior Courts are amended by adoption of Local Rule 8 which says:

Local Rule 8
CASS COUNTY BAIL BOND SCHEDULE

Under IC 35-33-8-6 any Defendant who is on Indiana parole or Indiana probation is subject to a hold of up to 15 days at the Prosecutor's request to allow time for the filing of a parole or probation violation proceeding. Such Defendants shall be held until their first court appearance to give the Prosecutor the opportunity to request a hold.

Pursuant to IC 35-33-8-4 the following Bail Bond Schedule is adopted for all new cases in Cass Circuit Court and Cass Superior Court:

	<u>CASH</u>	<u>SURETY</u>
<u>FELONIES</u>		
In all Murder cases, no bond shall be set prior to court appearance.		
Class A	\$10,000.00	\$50,000.00
Class B	5,000.00	25,000.00
Class C	2,000.00	10,000.00
Class D	1,000.00	5,000.00

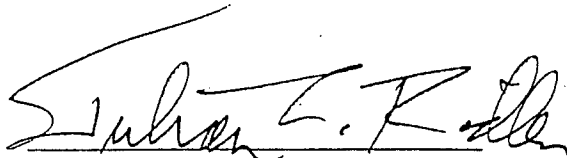
MISDEMEANORS


Class A	\$250.00	\$1,000.00
Class B	200.00	750.00
Class C	150.00	500.00

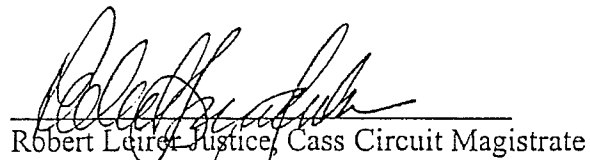
At the time of a Defendant's release on bond, if no initial hearing has been held, an initial hearing date shall be set for Defendant to appear in either the Cass Circuit Court or the Cass Superior Court on a regular initial hearing day no more than two weeks later. The Defendant shall sign a copy of the document advising him of this initial hearing date.

Page 2 of 2

SO ORDERED THIS ^{27th} DAY OF SEPTEMBER, 1999:


Hon. Julian Ridlen, Cass Circuit Judge


Hon. Thomas C. Perrone, Cass Superior Judge


Robert Leiret, Justice, Cass Circuit Magistrate

**IN THE
CASS CIRCUIT AND SUPERIOR COURTS
OF INDIANA**

**IN THE MATTER OF
THE ADOPTION OF LOCAL
RULE 9 PERTAINING TO CIVIL
CASE FILINGS AND ASSIGNMENT**

)
)
)
)
)
)

Case Assignment

All juvenile delinquencies, children in need of services, child support enforcement, paternity, guardianships, and adoptions shall be filed in the Circuit Court. Small claims, independent protective order proceedings, and mental health cases shall be filed in Superior Court #1. All infractions shall be filed in Superior Court #2. All other civil matters not specifically set out above shall be filed in the court requested by initiating counsel.

Transfer

The judge of the Circuit Court or Superior Courts in accordance with I.C. 33-5-9.7-14, by appropriate order entered in the Record of Judgments and Orders, may transfer and reassign to another court of record in the county a pending cause, provided the receiving court has jurisdiction to hear such case and accepts jurisdiction of such matter.

Appointment of Special Judge

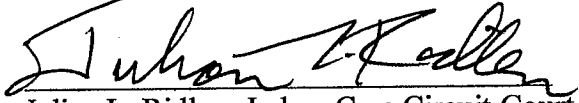
In the event of change of judge for reasons other than disqualification or recusal, a pending civil case shall be reassigned in accordance with Indiana Rule of Trial Procedure 79, Section (D), (E), or (F). If the presiding judge is disqualified or subject to recusal, the pending civil case shall be reassigned in accordance with Indiana Rule of Trial Procedure 79, Section (D) or (E). In the event a special judge does not accept the case as set out above, the appointment of an eligible special judge shall be made pursuant to Local Rule 6, originally adopted by the courts of Cass County 1 September 1995, and currently undergoing revision.


WHEREFORE:

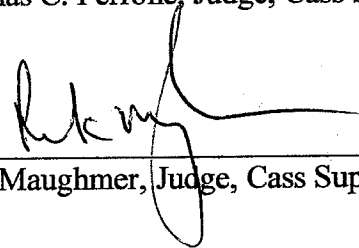
The Clerk of Cass County is directed to enter this Order in the Record of Judgments and Orders of the three Cass County Courts and post this Order for public inspection.

Further pursuant to Indiana Rule of Trial Procedure 81, the Clerk of Cass County shall forward two copies of these rules to the Clerk of the Indiana Supreme Court and Court of Appeals.

Promulgated and ordered this 30th day of January 2001.


Julian L. Ridlen, Judge, Cass Circuit Court


Thomas C. Perrone, Judge, Cass Superior Court 1


Rick Maughmer, Judge, Cass Superior Court 2